SEP 2-9 2006

0-02-06

Certificate of Express or First-Class Mailing

I hereby certify that I have deposited this correspondence with the US Postal Service as first-class or, If a mailing-tabet number is given below, as express mail addressed to Comm. of Patents, Bo: 1450, Alexandria, VA 22313-1450 on the below-given date.

For

EV800231524

IN THE U.S. PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF APPEALS AND INTERFERENCES

Inventor

Gabor BOGYE

Patent App.

09/890,029

Filed

24 July 2001

Conf. No. 6045

For

PHARMACEUTICAL COMBINATION OF PROGESTERONE AND

FOLIC ACID

Art Unit

1617

Examiner Hui, S

Hon. Commissioner of Patents Box 1450

Alexandria, VA 22313-1450

## NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final decision dated 4 May 2006 rejecting claims 9-12, 20 and 25-39.

A response to the final rejection has been filed.

10/03/2006 EFLORES 00000004 09890029

01 FC:2401

250.00 OP

Pat. App. 09/890,029

Atty's 21965

A PTO-2038 for \$250.0.00 for a small entity is enclosed. If the PTO-2038 is missing or insufficient, please charge any shortfall to account 18-2025 of the undersigned attorney firm.

Respectfully submitted, The Firm of Karl F. Ross P.C.

by Jonathan Myers, 26,963 Attorney for Applicant

29 September 2006 5676 Riverdale Avenue Box 900

Bronx, NY 10471-0900

Cust. No.: 535

Tel: (718) 884-6600 Fax: (718) 601-1099

Enclosure:

PTO-2038 for \$250.0.00

ab